

Case No: 0803572FUL (FULL PLANNING APPLICATION)

Proposal: CHANGE OF USE OF EXISTING FOOD PREPARATION PREMISES TO A5 (FOOD TAKEAWAY) USE

Location: 20 HALCYON COURT

Applicant: MR R UDDIN

Grid Ref: 523344 272994

Date of Registration: 22.12.2008

Parish: HUNTINGDON

RECOMMENDATION - REFUSE

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 Halcyon Court is a small agglomeration of modest industrial units, built around a central communal parking area. The site is accessed off St Margarets Way. This unit, amongst several others is currently vacant.
- 1.2 The proposal seeks a change of use of the premises to A5 (takeaway). The applicant has not indicated that any external alterations are proposed.

2. NATIONAL GUIDANCE

- 2.1. **PPS1: "Delivering Sustainable Development" (2005)** contains advice on the operation of the plan-led system.
- 2.2 **PPG4: "Industrial and Commercial Development and Small Firms" (1992)** contains advice on the role of the planning system in relation to industrial and commercial development.
- 2.3 **PPG13: "Transport" (2001)** provides guidance in relation to transport and particularly the integration of planning and transport.
- 2.4 **PPG24: "Planning & Noise" (1994)** guides planning authorities on the use of planning powers to minimise the adverse impact of noise.

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. PLANNING POLICIES

Further information on the role of planning policies in deciding planning applications can also be found at the following website:

<http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

3.1 **East of England Plan - Revision to the Regional Spatial Strategy (May 2008)**

East of England Plan - Revision to the Regional Spatial Strategy (May 2008) Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents

- **E1:** “Job Growth” – Identifies indicative targets for net employment growth in Cambridgeshire.
- **E2:** “Provision of Land for Employment” – Sites of sufficient range, quantity and quality to cater for employment sectors should be provided at appropriate scales in urban areas, market towns and key rural centres.

3.2 **Cambridgeshire and Peterborough Structure Plan (2003)**

Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

None relevant

3.3 **Huntingdonshire Local Plan (1995)**

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- **E7:** “Small Businesses” will normally be supported subject to environmental and traffic considerations.

3.4 **Huntingdonshire Local Plan Alterations (2002)**

Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

None relevant

3.5 **Huntingdonshire Interim Planning Policy Statement 2007**

Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007

- **B4** – Amenity - developments should not have an unacceptable impact upon amenity of existing or future occupiers.

- **E3** – Redevelopment of Office, Industrial and Warehouse Sites - seeks to resist the loss of established industrial estates, distribution and business parks as shown on the proposals map.
- **E7** – Location of Retail and Leisure Development – subject to specific criteria minor development will be allowed within the defined limits of the Market Towns and Key Centres, and within the existing built-up framework of Smaller Settlements,
- **T1** – Transport Impacts - development proposals should be capable of being served by safe convenient access to the transport network and should not give rise to traffic volumes that exceed the capacity of the local transport network.
- **T2** – Car and Cycle Parking - development proposals should limit car parking and provide cycle parking facilities to the levels set out in the Council’s parking standards.

3.6 **Huntingdonshire Local Development Framework submission Core Strategy 2008**

Policies from the Huntingdonshire Local Development Framework submission Core Strategy 2008 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning and then click on Planning Policy where there is a link to the Local Development Framework Core Strategy.

- **CS1:** “Sustainable development in Huntingdonshire” – all developments will contribute to the pursuit of sustainable development, having regard to social, environmental and economic issues. All aspects will be considered including design, implementation and function of development.

3.7 **Employment Land Review October 2007**

4. **PLANNING HISTORY**

- 4.1 **0700921S73** - Renewal of planning permission 0200330FUL for continuation of use for preparation and delivery of sandwiches/snacks for a further three years – permission granted
- 4.2 **0200330FUL** – Change of use from light industrial to the preparation and delivery of sandwiches/snacks, approved for temporary period-permission granted

5. **CONSULTATIONS**

- 5.1 **Huntingdon Town Council – NO OBJECTION (copy attached)**
- 5.2 **CCC Highways – NO OBJECTION** in principle, sufficient parking appears to be available
- 5.3 **Environmental Health** – Comments received relating to the information required for an A3 use, relating to grease and odour control

6. REPRESENTATIONS

None received

7. SUMMARY OF ISSUES

- 7.1 The main issues to consider are the principle of the development, the impact on highway safety, the impact on amenity and the issue of potential odour.

Principle

- 7.2 The premises currently has permission for use for the preparation and delivery of sandwiches/snacks until 16th May 2010. This is considered to be an industrial process (the making of the sandwiches and snacks) and this consent restricts the sale of sandwiches or snacks from the premises, ensuring there is no retail element. This current proposal seeks a change of use to A5 (food takeaway), which would involve members of the public visiting the unit to collect the food that they have recently ordered. The principle of this proposal is not considered to be acceptable, as it would result in the loss of an existing industrial unit on an established industrial estate, without any reasoned justification. It is considered important to retain the existing industrial units to ensure there is adequate employment land (for uses B1, B2 and B8) available to meet local employment requirements. The proposal is not considered to comply with policy E3 of the Huntingdonshire Interim Planning Policy Statement.

- 7.3 Whilst the applicant notes that there are existing takeaway units within Halcyon Court, the Local Planning Authority does not have any record of these premises. It is however acknowledged that there are existing food preparation units in the vicinity, for instance units 4, 5 and 22 have consent for pizza delivery, food preparation and delivery and preparation of hot and cold food for the purpose of outside catering, respectively. These consents do not allow for members of the public to visit these units.

Highway safety

- 7.4 The site has a communal car park, which the units have been centred around. There would appear to be adequate parking spaces available to serve the unit. No objections have been received from the Highways Authority. It is not considered that this proposed use would harm highway safety.

Amenity

- 7.5 The applicant has not provided any details of the likely level of vehicle movements/customers. The only information provided relates to the hours of operation 12-2pm then 5.30-10.30pm Monday to Sunday.
- 7.6 Comments have been received from Environmental Health, which indicate that an odour control/extraction system shall be required. A condition could be imposed to attain the relevant information required.

- 7.7 Having regard to the limited information provided and the surrounding area of the site, which is characterised by commercial properties, it is not considered that the proposal would harm amenity.

Conclusion

- 7.8 The proposed change of use is not considered acceptable and would introduce an A5 (takeaway) use into this established industrial area. Whilst it is accepted that the proposal would provide some employment, proposals should not result in the loss of established industrial estates. These existing sites are important to ensure that indicative job growth targets can be met and that there is adequate land available to meet the needs of this sector. The applicant has failed to demonstrate why an industrial use cannot continue on these premises or why the premises are appropriately located in terms of customers.

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8. RECOMMENDATION – REFUSE for the following reason:

- 8.1 The proposed change of use of this industrial unit would result in the loss of an existing unit in an established industrial estate, without justification. It is necessary to ensure that an adequate range of sites/premises are available to accommodate the full range of sectoral requirements to achieve indicative job growth targets. The loss of this unit would undermine this aim and would be contrary to policy E2 of the East of England Regional Spatial Strategy 2008 and policy E3 of the Huntingdonshire Interim Planning Policy Statement 2007

BACKGROUND PAPERS:

Planning Application File Reference: 0803572FUL
East of England Plan – Revision to the Regional Spatial Strategy May 2008
Cambridgeshire and Peterborough Structure Plan, 2003
Huntingdonshire Local Plan, 1995
Huntingdonshire Local Plan Alteration, 2002
Huntingdonshire Interim Planning Policy Statement 2007
Huntingdonshire Local Development Framework Submission Core Strategy 2008
Employment Land Review October 2007

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